

REMARKS

I. Introduction

Applicants respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, paragraphs on pages 4 and 6 have been amended.

Claims 1-51 are requested to be canceled. The cancellation of claims does not constitute acquiescence in the propriety of any rejection set forth by the Examiner. Applicant reserves the right to pursue the subject matter of the canceled claims in subsequent divisional applications.

Claims 52-61 are new. Support for the new claims can be found on pages 4-6, Examples 1 and 2, and the originally filed claims.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Upon entry of this Amendment, claims 52-61 will remain pending in the application.

Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.

II. Response to Issues Raised by Examiner in Outstanding Office Action

a. Specification

Applicant has amended the specification to include sequence numbers as requested by the Examiner and provided a sequence listing along with the response. Applicant requests reconsideration and withdrawal of the objection to the specification.

b. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 1-28 are rejected under 35 U.S.C. § 112, second paragraph as being allegedly indefinite. Office Action, pp. 2-3. Applicant has canceled claims 1-28 and respectfully requests reconsideration and withdrawal of the rejection.

c. Claim Rejections - 35 U.S.C. § 112, First Paragraph

Claims 1-28 are rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. The Office asserts, “the specification itself discloses that the claimed method cannot function as broadly claimed.” Office Action, p. 4. Applicants have amended the claims to address many of the Office’s concerns. Regarding osteoarthritis, the claimed method is for predicting progression of non-generalized osteoarthritis and osteoarthritis of the knee. See claims 53 and 54. In addition, Applicant notes that Example 2 provides significant correlation for the assay at Visit 2 with the clinical changes from Visit 2 to Visit 3. These changes show the ability of the methods to predict changes in rheumatoid arthritis and support the new claim for prediction of RA progression. The claims relate to using the ratio, not the individual values for determining the significance to a provided disease. Applicant respectfully requests reconsideration and withdrawal of the rejection.

CONCLUSION

The present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant(s) hereby petition(s) for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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Date August 7, 2006

By _____

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